

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**BRUCE WHITE, on Behalf of Himself and  
All Others Similarly Situated**

Plaintiff,

vs.

**CRST, INC.**

Defendant.

CASE NO. 1:11-CV-2615

UNITED STATES DISTRICT JUDGE  
JAMES S. GWIN

**DECLARATION OF LEONARD A. BENNETT**

I, Leonard A. Bennett, declare:

1. My name is Leonard A. Bennett. I am over 21 years of age, of sound mind, capable of executing this declaration, and have personal knowledge of the facts stated herein, and they are all true and correct.

2. I am one of the attorneys working on behalf of the Plaintiffs in the above styled litigation, and I am an attorney and a principal of Consumer Litigation Associates, P.C., a seven-attorney law firm with offices in Hampton Roads, and Fairfax, Virginia. My primary office is at 763 J. Clyde Morris Blvd, Suite 1A, Newport News, Virginia 23601.

3. Since 1994, I have been and presently am a member in good standing of the Bar of the highest court of the State of Virginia, where I regularly practice law. Since 1995, I have been and presently am a member in good standing of the Bar of the highest court of the State of North Carolina. I have also been admitted to practice before and am presently admitted to the following federal courts:

**Court:**

**Date Admitted:**

United States Supreme Court

2005

United States Court of Appeals for the	
Fourth Circuit	2002
Third Circuit	2007
Ninth Circuit	2009
Sixth Circuit	2011
Eleventh Circuit	2011
United States District Court for the	
Eastern District of Virginia	1994
Western District of Virginia	2004
Eastern District of North Carolina	2005
Middle District of North Carolina	2007
Western District of North Carolina	2007
District of Wisconsin	2006
Eastern District of Michigan	2003
Northern District of Illinois	2003
Northern District of Ohio	2011
Western District of Tennessee	2012

I have been admitted *pro hac vice* in United States District Courts across the country including Alabama, California, Louisiana, Florida, Rhode Island, Hawaii, New Hampshire, Connecticut, Ohio, South Carolina, Pennsylvania, Arizona, Massachusetts, Tennessee, Georgia, Wyoming, Texas, Louisiana, Washington and Maryland. I have never been denied admission *pro hac vice*.

5. Since 1996, my practice has been limited to consumer protection litigation. While my experience representing consumers has come within several areas, my most developed area of expertise is in plaintiffs litigation under the Federal Consumer Credit Protection Act, 15 U.S.C. § 1601, et seq., and in particular the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq., the Equal Credit Opportunity Act, 15 U.S.C. § 1691, et seq., and the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.

6. I am on the Board of Directors of the National Association of Consumer Advocates, on the Partners Council of the National Consumer Law Center and a member of the Public Justice Foundation. I was selected to the Law Dragon Top 500 Plaintiffs Attorneys in the Nation. In 2010 I was selected to the Law Dragon Top 3,000 Attorneys in the Nation (all attorneys, not simply Plaintiff's). In 2009 I was selected as a Virginia Leaders in the Law through the Virginia Lawyers Weekly based on my "[n]ationally recognized expertise in

consumer protection law.” I am a current and multiple year Virginia Super Lawyer.

7. I have been invited to and did testify before the United States House Financial Services Committee on multiple occasions. I have also been invited to and did serve on a Federal Trade Commission Round Table and Governor Kaine’s Virginia *Protecting Consumer Privacy* Working Group, all in this field.

8. Since 2001, I have been asked to and did speak at numerous seminars and events in the area of Consumer Credit Protection litigation. These included the following:

**2013**

National Consumer Law Center, Fair Debt Collection Practices Act Conference, *Fair Credit Reporting Act Claims Against Debt Buyers*, March 2013, Invited

**2012**

National Association of Consumer Advocates, Webinar CLE: *FCRA Dispute Process*, December 2012

Rossdale CLE, *Fair Credit Reporting Act*, August 2012

**2011**

Virginia Trial Lawyers Association, *Advocacy Seminar*, October 2011, Multiple locations;

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*, Memphis, TN, May 2011, Speaker  
*Multiple Panels;*

Stafford Publications CLE, National Webinar, April 2011  
*“FCRA and FACTA Class Actions: Leveraging New Developments in Certification, Damages and Preemption.”*

**2010**

National Consumer Law Center, National Consumer Rights Conference, Boston, Speaker for Multiple Sessions, November 2010;

**2009**

Virginia State Bar, Telephone and Webinar Course, Virginia, 2009  
*“What’s Going On Here? Surging Consumer Litigation – Including Class Actions – in State and Federal Court.”;*

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*,

Chicago, IL, May 2009,  
*Multiple Panels;*

National Consumer Law Center, National Consumer Rights Conference, Philadelphia, Speaker  
for Multiple Sessions, November 2009;

**2008**

National Consumer Law Center, National Consumer Rights Conference, Portland, OR, Speaker  
for Multiple Sessions, November 2008;

Washington State Bar, Consumer Law CLE, Speaker, September 2008

**2007**

Washington State Bar, Consumer Law CLE, Speaker, July 2007

House Financial Services Committee, June 2007

National Consumer Law Center, National Consumer Rights Conference, Washington, D.C.,  
Speaker for Multiple Sessions, November 2007

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*,  
Denver, Colorado, May 2007,  
*Multiple Panels;*

U.S. Army JAG School, Charlottesville, Virginia, Consumer Law Course Instructor, May 2007

Georgia State Bar, Consumer Law CLE, Speaker, March 2007

**2006**

Contributing Author, *Fair Credit Reporting Act, Sixth Edition*, National Consumer Law Center,  
2006.

National Consumer Law Center, National Consumer Rights Conference, Miami, FL, Speaker for  
Multiple Sessions, November 2006

Texas State Bar, Consumer Law CLE, Speaker, October 2006  
*Federal Claims in Auto fraud Litigation*

Santa Clara University Law School, Course, March 2006  
*Fair Credit Reporting Act.*

Widener University Law School, Course, March 2006  
*Fair Credit Reporting Act.*

United States Navy, Navy Legal Services, Norfolk, Virginia, April 2006  
*Auto Fraud;*

**2005**

Missouri State Bar CLE, Oklahoma City, Oklahoma,  
*Identity Theft;*

National Consumer Law Center, National Consumer Rights Conference, Boston, Mass.  
*Multiple panels.*

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*,  
New Orleans, Louisiana (May 2005),  
*Multiple Panels;*

United States Navy, Naval Justice School (JAG Training), Newport, Rhode Island,  
*Consumer Law.*

**2004**

American Bar Association, Telephone Seminar;  
*Changing Faces of Consumer Law,*

National Consumer Law Center, National Consumer Rights Conference, Boston, Mass.  
*Fair Credit Reporting Act Experts Panel;* and  
*ABCs of the Fair Credit Reporting Act.*

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*,  
Chicago, Illinois;  
*Multiple Panels*

Oklahoma State Bar CLE, Oklahoma City, Oklahoma,  
*Identity Theft;*

Virginia State Bar, Telephone Seminar,  
*Identity Theft;*

United States Navy, Naval Justice School (JAG Training), Newport, Rhode Island,  
*Consumer Law*

United States Navy, Navy Legal Services, Norfolk, Virginia,  
*Auto Fraud;*

Virginia State Bar, Richmond and Fairfax, Virginia,  
*Consumer Protection Law;*

Michigan State Bar, Consumer Law Section, Ann Arbor, Michigan;  
*Keynote Speaker.*

9. I have substantial experience in complex litigation, including class action cases, prosecuted under the Consumer Credit Protection Statutes, including the Fair Credit Reporting Act, the Equal Credit Opportunity Act, and the Fair Debt Collection Practices Act.

10. In each of the class cases where I have represented Plaintiffs in a consumer protection case, including employment related cases such as the instant case, the Court found me to be adequate class counsel and in each I was lead or executive committee counsel.

11. I have litigated an extensive docket nationally. I am familiar with the number and identity of attorneys in other parts of the country who practice in this field. There are a very limited number of such practioners and fewer still willing to litigate within this field. I estimate that there are less than ten private attorneys nationally who have significant experience litigating the provisions of the Fair Credit Reporting Act, and less than a handful in the "employment purpose" FCRA field at issue in this case. Over the last several years, I have been the lead invited speaker at the primary consumer law conferences to instruct on the Fair Credit Reporting Act regarding issues in employment law.

12. Nearly all of the attorney's fees earned by me and my law firm are on a contingency fee basis. We do not get paid unless we recover for our clients. It is also nearly always necessary for us to advance costs in these federal consumer cases, which can sometimes require risks of tens of thousands of dollars in addition to fees. If were unable to recover a contingency premium in our cases, our law firm could not continue to practice by accepting contingency-only work.

13. My standard hourly rate is \$475.00 per hour. This is the rate I charge most clients for representation in litigation matters and it is included in many of the retainer agreements that I transact with my clients as a baseline rate. Though I have had only one non-contingency case

since setting, this is the rate I charged in that matter.

14. This rate has been accepted in multiple class action cases, although of course the rate was submitted only as part of a general cross-check in a common fund recovery. The most recent contested individual case approving my hourly rate of \$450.00 in a contested fee petition, United States District Court Magistrate Judge Dohnal (in a consent case) stated: “[T]he Court otherwise finds such hourly rates to be reasonable and appropriate, the Court being familiar with comparable market rates and the level of expertise demonstrated by each counsel in numerous appearances before the Court.” *Reynolds v. Reliable Transmissions*, Case No. 3:09cv238 (E.D. Va. June 29, 2010) (Docket No. 54).

15. Outside of mid-size markets such as Cleveland, or in Richmond, Virginia, the hourly rates for which consumer attorneys such as myself and the other lawyers in my firm have been expected to bill have been considerably higher than my hourly. In fact, in some of my co-counsel relationships, the hourly rate disparity have been an obstacle to such relationships and it became necessary for me to bill at rates significantly higher than \$475. I estimate that the average hourly rate in my field in litigation in *national* litigation, for my experience and expertise is easily over \$650.

16. Class Counsel engaged McGladrey as Settlement Administrator, which is a well-respected and experienced administrator, including administering class cases similar to the instant case. The Class Administrator mailed the Class Notices approved by the court to the Class Members whose names and addresses were supplied by the Defendant. Prior to sending the notice, the administrator used well-established techniques to verify and update the addresses for the individuals on the class list including by using the National Change of Address and Accurant databases. In addition to mailing notice, the administrator established a website in which class

members could access the notice, the preliminary approval order and other relevant information. The class members also had contact information for the attorneys in the case to inquire about the settlement and its terms. Due to these efforts, the administrator was able to confirm an 81% delivery rate.

17. Class Counsel sincerely desired a higher confirmed delivery rate, and analyzed whether to exercise its dickered for option under the Settlement Agreement to perform additional searches for Class Members and send out a second Class Notice. After initially investigating the process, Class Counsel informed Defendant that it would exercise its discretion and direct the Class Administrator to perform additional address searches and send a second notice. Soon after this discussion, Class Counsel began to implement a plan to send a second notice.

18. Class Counsel learned that an additional search for address changes may not yield successful results, including that more than half of the records for Class Members whose notices were undeliverable had missing or incorrect identifiers or were otherwise impossible to find due to circumstances such as criminal convictions. Another issue that Class Counsel had to face was that by the time the process would be completed -- including printing and mailing notices, moving the court for a modification of the Preliminary Approval Order, allowing a claims, objection and exclusion period -- it would require a significant delay in the final fairness hearing and entry of a final order to the substantial detriment of class members with timely claims.

19. Upon considering all the factors, including numerous cases in which courts held that an 81% delivery rate was sufficient to satisfy the due process considerations of Rule 23, Class Counsel decided not to exercise its optional right to direct a second class notice.

20. In addition to the motion for final approval, Class Counsel is submitting its fee petition. In support of Class Counsel's motion that the court approve its fee, I have supplied a

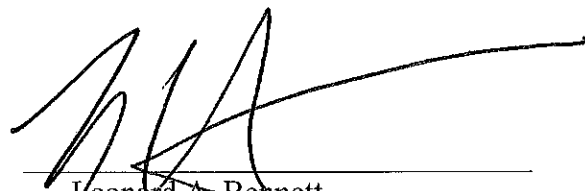


summary of the fees incurred by me and my law firm. My firm and I have performed the work and incurred the hours and costs as described and detailed in the Billing Summary attached as Exhibit "A".

21. I have not included additional projected hours past today. However, in my significant experience as class counsel, I have never had a class case that did not require additional substantial hours after final approval, including time for reviewing court correspondence and orders, further communication with defense counsel, communication with class members who have or have not received settlement funds and fielding related inquiries from third parties.

I declare under penalty of perjury of the laws of the United States that the foregoing is correct.

Signed this 15th day of February 2013.



Leonard A. Bennett

LEONARD A. BENNETT  
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**EXHIBIT A**

WHITE v. CRST

	A	B	C	D	E
1	DATE	DESCRIP OF WORK	HRS	RATE	TOTAL
2	11/8/11	Review email MD/TP regarding Iowa venue	0.25	\$475.00	\$118.75
3	11/9/11	Review email MD/TP -substantive allegations re: CRST	0.25	\$475.00	\$118.75
4	3/13/12	tc w/MD	0.50	\$475.00	\$237.50
5	5/7/12	File review & review documents and pleadings	2.25	\$475.00	\$1,068.75
6	5/8/12	t/c MD; review file & documents	6.25	\$475.00	\$2,968.75
7	5/8/12	SR: email w MD -discussed proposed order of stay; forward draft	0.25	\$375.00	\$93.75
8		Paralegal time: create CRST file; review pleadings; generate binder file; consult w/LAB (VLW 1.25 / DLW 4.5)	5.75	\$150.00	\$862.50
9	5/14/12	Review Answer to Amended Complaint	1.25	\$475.00	\$593.75
10	5/15/12	Review Notice of Substitution of Counsel removing Molly Lukenbill & adding David Krueger; review order allowing substitution of counsel	0.25	\$475.00	\$118.75
11	5/22/12	Paralegal time: Communication regarding attorney appearance; draft attorney appearance; file attorney appearance w/Court	1.00	\$150.00	\$150.00
12	5/22/12	Review and approve Notice of Appearance	0.25	\$475.00	\$118.75
13	5/23/12	t/c MD; email MD; review settlement spreadsheet	1.75	\$475.00	\$831.25
14	5/24/12	Paralegal Time: File Notice of Appearance for LAB	0.50	\$150.00	\$75.00
15	5/25/12	Review Motion to Stay	0.25	\$475.00	\$118.75
16	5/29/12	Review Order; email MD/TP regarding Order; Review Judge opinions; t/c and email with MD regarding case strategy; em MD regarding numerosity; Westlaw research	3.75	\$475.00	\$1,781.25
17	6/4/12	SR: email w/LAB & MD -discuss/prep status conf. - who will attend	0.25	\$375.00	\$93.75
18	6/6/12	Forward MD Class Cert pleadings; review documents; t/c MD; Westlaw research	2.25	\$475.00	\$1,068.75
19	6/8/12	t/c MD regarding Ct; review pacer; conf w/DW	1.25	\$475.00	\$593.75
20		Paralegal time: Conf w/LAB regarding CRST; organize file	2.50	\$150.00	\$375.00
21	6/11/12	t/c MD; review file docs; asst. draft class cert; em MD/AT; conf. w/DW; review exhibit sets from AT	4.25	\$475.00	\$2,018.75
22		Paralegal time: conf w/LAB - re: exhibits & class cert	0.50	\$150.00	\$75.00
23	6/11/12	SR: Review rough draft of class cert. motion	1.25	\$375.00	\$468.75
24	6/12/12	t/c MD regarding settlement research regarding mediator	0.25	\$475.00	\$118.75
25	6/13/12	Review exhibits	3.50	\$475.00	\$1,662.50
26	6/14/12	Review Motion for summary judgment with exhibits; t/c MD; conf w/DW	5.25	\$475.00	\$2,493.75
27		SR: Review Defendant's MSJ; review exhibits (depos)	1.00	\$375.00	\$375.00
28		Paralegal time: Conf w/LAB regarding SJ Motion	1.75	\$150.00	\$262.50
29	6/14/12	Review pacer filing	0.25	\$475.00	\$118.75
30	6/15/12	Review pacer filing; t/c with MD; review file docs; t/c MD regarding dep objective; email AT with Amended Notices	3.50	\$475.00	\$1,662.50
31	6/18/12	Review Joint Motion; email MD; file review	0.50	\$475.00	\$237.50
32		SR: Review MSJ/delegate response plan; t/c w MD & LAB re: strategy for req. conf.	0.25	\$375.00	\$93.75
33	6/19/12	Review Cert draft & edit Cert docs	2.75	\$475.00	\$1,306.25
34	6/20/12	Review Order regarding deposition scheduling; email MD; substantial drafting and editing of Cert. brief	7.50	\$475.00	\$3,562.50
35		SR: Review court order	0.25	\$375.00	\$93.75
36	6/21/12	Westlaw research; Additional edits; review Amended Complaint; t/c with AT	14.00	\$475.00	\$6,650.00
37		Paralegal time: conf w/LAB; drafts	7.00	\$150.00	\$1,050.00
38	6/22/12	Review Plaintiff's filings; email AT/MD/TP regarding corrected brief, edits & draft corrected briefs; email AT regarding contact with Clerk; numerous emails; declaration; conf w/defense counsel regarding mediation	3.50	\$475.00	\$1,662.50
39		Paralegal time: declaration and cons w/AT	1.00	\$150.00	\$150.00
40	6/24/12	Comm. w/defense counsel regarding seal	0.50	\$475.00	\$237.50
41	6/25/12	Review Joint Motion to seal; comm regarding dep transcripts; review dep transcripts; digest dep transcripts; review and edit amended filing; comm w/AT & MD	2.25	\$475.00	\$1,068.75

**EXHIBIT A**

**EXHIBIT A**  
WHITE v. CRST

	A	B	C	D	E
42		SR: Review depositions of Willey, Northway	0.50	\$375.00	\$187.50
43	6/26/12	Westlaw research; review deposition transcripts; comm w/MD, TP, AT & SR; digest deposition from MD; continue SJ drafting	2.75	\$475.00	\$1,306.25
44		SR: Review depositions; research whether a natural party has to "know" facts lie a party rep/diff. party rep.	1.50	\$375.00	\$562.50
45	6/27/12	Westlaw research; email MD/TP/AT/SR; revise MD's SJ facts; email regarding 6th Circuit State of Mind standard; numerous comm; review cases from MD/TP; review Willey deposition; digest Willey deposition; review CRST accurate; comm from defense counsel regarding Judge Robertson; research mediator; t/c MD regarding mediator; review Motion to Strike; review email from FC; review multiple comms; review and revise statement of facts; review RST confidential docs; review pacer entries; review proposed final SJ draft; comm regarding SJ drafts; t/c regarding SJ drafts	7.50	\$475.00	\$3,562.50
46	6/27/12	Review Defendant's Motion for leave to file brief in excess of 15 pages; Review Motion to Strike; email MD	0.75	\$475.00	\$356.25
47		SR: Review response. MSJ research 6th Cir cases; re: status of mind; read emails & cases from LAB & MD; research 1681(b)(3) & 1681m re: was consumer report deciding factor vs. "in whole or in part"; research Judge Potter decision; review documents CRST pulled on Bruce White; compare Plaintiff's SJ sections; review MTS by defendant (class cert)	7.25	\$375.00	\$2,718.75
48	6/28/12	Westlaw research; review deposition transcript of Brandi Northway & Scott Randall; Review Motion for leave	6.50	\$475.00	\$3,087.50
49		SR: Review new SJ draft opposing research and draft section for response to SJ opposing send to MD	3.00	\$375.00	\$1,125.00
50	6/29/12	Westlaw research & file review	1.75	\$475.00	\$831.25
51	7/1/12	Westlaw research & file review	2.00	\$475.00	\$950.00
52	7/2/12	Westlaw research & file review	2.00	\$475.00	\$950.00
53	7/3/12	Review Order granting defendant's motion to file motion in excess of limit; review order granting Plaintiff's Motion to file in excess of limit; prep Motion for Class Cert; Prep. Opp to Motion for SJ	5.25	\$475.00	\$2,493.75
54	7/3/12	Review of draft Motion for relief; review pacer entries; email MD; edit and revise SJ Opp and exhibits; t/c w/MD; email AT/MD; review and edit Motion to deem timely filed; SJ edits; review pacer entry	2.50	\$475.00	\$1,187.50
55	7/5/12	Review of Opposition to Motion; review comm from JAMS; t/c with MD	0.50	\$475.00	\$237.50
56		SR: Conf w/AT regarding plan for mediation; review reply (no assignment)	1.00	\$375.00	\$375.00
57	7/5/12	Review Reply brief to Plaintiff's Opposition to SJ; t/c w/MD	0.75	\$475.00	\$356.25
58	7/6/12	Westlaw research; t/c MD	2.25	\$475.00	\$1,068.75
59	7/9/12	Review Order granting; email TP regarding uniformity of CRST conduct; review Willey on call scripts; email MD regarding Rule 56	3.00	\$475.00	\$1,425.00
60	7/10/12	Westlaw research	1.00	\$475.00	\$475.00
61	7/11/12	Westlaw research; t/c MD regarding deposition and standardized "oral" disclosures; email AT; review 26a(1); email from AT/JAMS; review Motion for leave; Opp and Reply regarding Judge Polster's decision on SOL; email TP regarding index of docs; review of 3 downloads from AT; review draft of Opp to CRST's Motion to Strike	4.25	\$475.00	\$2,018.75
62	7/12/12	Review final draft Class Cert. Reply	2.75	\$475.00	\$1,306.25
63	7/12/12	Westlaw research; review Mediation confirmation package & return; review final drafts		\$475.00	\$0.00
64	7/13/12	Review Pacer filings	0.25	\$475.00	\$118.75
65	7/16/12	Review of Final draft of Joint Status Report	0.25	\$475.00	\$118.75
66	7/31/12	Conf. call with mediator prior to mediation; email AT & mediator regarding conf. call; review Plaintiff's confidential settlement statement	1.00	\$475.00	\$475.00
67	8/1/12	Review edits of mediation statement; email from AT regarding mediation statement	2.25	\$475.00	\$1,068.75

**EXHIBIT A**

WHITE v. CRST

	A	B	C	D	E
68	8/2/12	Email from Erin and AT regarding receipt of mediation statement	0.25	\$475.00	\$118.75
69	8/3/12	Email DD regarding call in info for conference call with mediator; email with MD regarding brief on willfulness requested by mediator	0.50	\$475.00	\$237.50
70	8/5/12	Email MD/TP regarding brief on willfulness requested by mediator	0.75	\$475.00	\$356.25
71	8/6/12	Email MD regarding flight into CLE	0.25	\$475.00	\$118.75
72	8/8/12	Westlaw research; travel	10.00	\$475.00	\$4,750.00
73	8/8/12	Attend mediation in Ohio; travel	16.00	\$475.00	\$7,600.00
74	8/9/12	Email TP regarding t/c with Lucht; email from Judge Robertson regarding materials on FCRA cases that settled	1.25	\$475.00	\$593.75
75		Paralegal time: pull prior settled cases for forwarding to Judge	1.00	\$150.00	\$150.00
76	8/11/12	Email Judge Robertson regarding cases and confidentiality	0.50	\$475.00	\$237.50
77	8/15/12	Email Judge Robertson regarding proposal of CRST; email to Judge in response outlining class size and negotiations; t/c w/MD/TP	1.50	\$475.00	\$712.50
78	8/16/12	Email Judge regarding ongoing mediation; t/c w/MD	1.75	\$475.00	\$831.25
79	8/22/12	Email Judge regarding response from CRST; email O'Toole regarding responses of CRST and counter	1.25	\$475.00	\$593.75
80	8/23/12	Westlaw research; email Judge regarding CRST declining counter; email Judge regarding mediation proposal; review proposal of mediator	1.75	\$475.00	\$831.25
81	8/28/12	Review email MD regarding proposal to settle	0.75	\$475.00	\$356.25
82	8/29/12	Review email from MD to Lucht regarding CRST settlement proposal	0.75	\$475.00	\$356.25
83	8/31/12	t/c with & emails to/from MD confirming agreement; email to TP - re: bail on settlement pre-motions or take mediators offer; Review email O'Toole to TP regarding second proposal better for class; email MD to GL regarding settlement summary; email from MD regarding mediators communications and CRST being unreasonable.	3.00	\$475.00	\$1,425.00
84	9/1/12	Email to/from TP regarding responses to prior emails; email from MD regarding Lucht's offer & responses; review spreadsheet from MD regarding settlement breakdown; Email from Lucht; Email from MD regarding call w/Lucht; Emails regarding settlement agreement and release language;	2.25	\$475.00	\$1,068.75
85	9/4/12	t/c w/MD; Email to/from MD regarding email from Lucht; Email from Judge Robertson advising call w/Judge Gwin; Emails regarding term sheet; Email to Lucht & Judge Robertson confirming agreement	3.75	\$475.00	\$1,781.25
86	9/5/12	Westlaw research	0.50	\$475.00	\$237.50
87	9/12/12	Review of Order	0.25	\$475.00	\$118.75
88	9/13/12	Email from DW regarding declaration	0.25	\$475.00	\$118.75
89	9/17/12	Emails regarding proposed notices & forms, rough draft of stipulation of settlement; review and edit stipulation of settlement; edit and draft to work settlement docs.	4.75	\$475.00	\$2,256.25
90	9/19/12	Email from TP regarding comments on revisions.	0.25	\$475.00	\$118.75
91	9/20/12	Review & edit proposed notices and forms received; email from MD regarding stipulations and forwarding to Lucht; Email from MD w/revised stipulations; review of revisions to stipulations	2.00	\$475.00	\$950.00

**EXHIBIT A**

WHITE v. CRST

	A	B	C	D	E
		Review & edit final draft of Proposed Stipulation of Settlement prior to filing w/exhibits; review joint motion for extension of time; Email from MD regarding notice Order; Email from TP with notices and forms; review and revise notices; Review email to Lucht with latest version of stipulations and suggest McGladrey as settlement administrator; Email from MD regarding McGladrey; t/c w/ MD; Email from MD regarding notices and revisions to notice/Order; Email from MD regarding extensions and joint motion for enlargement to file Exhibit A; review pacer entry regarding Stip of Settlement; t/c w/Administrator			
92	9/21/12	Review joint motion for extension of time to file Exhibit A to Stip. Of Settlement	3.50	\$475.00	\$1,662.50
93	9/21/12	Emails with MD regarding LAB comments to settlement notices and claim forms.	0.25	\$475.00	\$118.75
94	9/22/12	Review Order granting joint motion for extension of time until 9/24/12 to file Exhibit A; review pacer entry - Supplement Exhibit A; email from MD requesting comments on Exhibit A; review numerous emails from MD to Lucht regarding notices; Email from Lucht regarding revisions & approval of claim forms; t/c w/MD regarding removal of birthdates; review pacer filing of Exhibit "A" to Stip.	0.75	\$475.00	\$356.25
95	9/24/12	Review pacer filing - Supplement Exhibit A	0.25	\$475.00	\$118.75
96	9/24/12	Review email from MD to Lucht w/draft of joint motion for preliminary approval; review joint motion; t/c with MD	0.50	\$475.00	\$237.50
97	9/25/12	Emails with MD w/Lucht's revisions to joint motion	0.50	\$475.00	\$237.50
98	10/1/12	Email from MD advising of deadline to finalize CRST joint motion; Email from FB regarding status t/c w/MD; Email from MD regarding call; Emails with MD regarding revisions to settlement negotiations	0.25	\$475.00	\$118.75
99	10/3/12	Joint Motion for Preliminary Approval fo Class Settlement w/attachments; Review revisions to Plaintiff's settlement negotiations; t/c regarding revisions of joint motion; Email from AT regarding revisions and formatting	0.50	\$475.00	\$237.50
100	10/4/12	Review Stipulation of Settlement w/exhibits; review order signed approving settlement - final fairness set for 2/8/13; email from MD to Barkan regarding claim forms; review order granting joint motion for prelim approval of class settlement	1.50	\$475.00	\$712.50
101	10/5/12	Email from MD to Barkan - receipt of proposal w/request copy of formal engagement papers	0.50	\$475.00	\$237.50
102	10/9/12	Email from MD regarding arrangement letter from McGladrey; review of arrangement letter	0.25	\$475.00	\$118.75
103	10/11/12	Email from MD regarding drafts of notices and claims forms from Barkan w/questions.	1.00	\$475.00	\$475.00
104	10/22/12	Emails with Barkan regarding postage for mailings; Emails with MD to Barkan regarding funds deposited and costs; Emails with Barkan w/invoices from printer & checks for mailing; t/c with MD	0.25	\$475.00	\$118.75
105	11/14/12	Email from MD regarding any outstanding issues with McGladrey's revisions; Emails with Barkan regarding notice dates	0.75	\$475.00	\$356.25
106	11/16/12	Email from MD regarding CRST mailing list and questions from Barkan	0.50	\$475.00	\$237.50
107	11/19/12	Email MD regarding class list & confirmation of 12/8 mailing; Email from MD regarding draft of proposed Order; review proposed Order regarding joint motion for modification; Email from Barkan regarding notice and both claims for approval-verify dates & filing deadlines; Email from Lucht approving proposed order; Email from Barkan with questions and comments on notice and claims; t/c w/MD	0.25	\$475.00	\$118.75
108	11/20/12				
109	11/26/12				

**EXHIBIT A**

**EXHIBIT A**

WHITE v. CRST

	A	B	C	D	E
110	11/27/12	Joint Motion for Modification of Order approving Stip. Of Settlement; email from Barkan needing approval of claim forms and notices; Email from MD to Lucht with spreadsheets form McGladrey; review of spreadsheets; email from Barkan confirming everything is a go and confirmation of various dates; t/c with MD	1.25	\$475.00	\$593.75
111	11/28/12	Review Order signed by Judge Gwin granting joint motion to modify order approving stip. Settlement.	0.25	\$475.00	\$118.75
112	12/28/12	Review pacer filing- letters requesting to speak at fairness hearing	0.25	\$475.00	\$118.75
113	1/2/13	Review pacer filing-letter from Mains	0.25	\$475.00	\$118.75
114	1/7/13	Review pacer filing- Letter to court regarding objections to settlement; email from Barkar regarding undeliverable notices/t/c w/MD	0.50	\$475.00	\$237.50
115	1/16/13	Review pacer filing - Letter from Hernandez concerning settlement	0.25	\$475.00	\$118.75
116	1/8/13	t/c & email MD regarding Barkan email- undeliverable notices-what procedures	0.50	\$475.00	\$237.50
117	1/11/13	Email from MD regarding Barkan emails regarding undeliverable notices	0.25	\$475.00	\$118.75
118	1/16/13	Review pacer filing-Letter from M. Hernandez	0.25	\$475.00	\$118.75
119	1/31/13	Review pacer filing- letter regarding objections to settlement; email MD w/attached joint motion for final approval; review & edit motion for final approval	1.50	\$475.00	\$712.50
120	2/1/13	Email from MD regarding LAB's comments on joint motion; t/c w/MD	1.25		
121	2/4/13	Review pacer filing - Letter regarding objections to settlement	0.25	\$475.00	\$118.75
122	2/5/13	Email from MD regarding undeliverables; email to/from MD regarding LAB call; t/c call with MD; review pacer filing - letter objecting;t/c w/MD	1.25	\$475.00	\$593.75
123	2/6/13	Review pacer filing - letter from Ernie Pyles concerning settlement	0.25	\$475.00	\$118.75
124	2/7/13	Review pacer filing - Notice to be excluded as class member; email from MD forwarding email from Lucht with revisions to Motion for final approval; review revised Motion; edit motion; conf w/DW & SR; consolidated time spreadsheet; review and redraft time records	3.50	\$475.00	\$1,662.50
125	2/8/13	Edit motion	1.50	\$475.00	\$712.50
126	2/11/13	Email from Joe Bolt regarding revisions; review pacer filing-letter objecting settlement; email from Lucht regarding final draft of Motion; edit motion	7.75	\$475.00	\$3,681.25
127	2/12/13	Email from MD to AT requesting redline joint motion; email from AT to Lucht with joint motion; email from Lucht regarding comments to draft; review final draft of joint motion; t/c w/MD & TP; review and redraft time records	3.75	\$475.00	\$1,781.25
128	2/13/13	Email from AT regarding changes to final motion from Lucht; review and edits; t/c w/MD	2.75	\$475.00	\$1,306.25
129		TOTAL:			\$110,037.50
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